

Report Date: April 22, 2016

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

APR 25 2016

SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Richard Allen Counts Case Number: 0980 2:07CR02066-LRS-1

Address of Offender: [REDACTED] Yakima, Washington 98908

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 17, 2008

Original Offense: Distribution of a Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison 100 months; Type of Supervision: Supervised Release  
TSR - 48 months

Asst. U.S. Attorney: Thomas J. Hanlon Date Supervision Commenced: January 25, 2016

Defense Attorney: Alex B. Hernandez, III Date Supervision Expires: January 24, 2019

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**PETITIONING THE COURT**

**To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 04/20/2016.**

The probation officer believes the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
6	<p><b><u>Mandatory Condition # 4:</u></b> The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.</p> <p><b><u>Supporting Evidence:</u></b> Mr. Counts disclosed on April 20, 2016, to this officer he consumed methamphetamine within the last couple of days.</p>
7	<p><b><u>Mandatory Condition # 5:</u></b> The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.</p> <p><b><u>Supporting Evidence:</u></b> On April 20, 2016, pursuant to special condition #14, Mr. Counts' vehicle was searched. During the search of the defendant's vehicle, a Chrysler 300 (with a black fiberglass hood), officers located, in the front driver's side paneling area photographs of the defendant's girlfriend, an envelope with the offender's name on it that was sent to him from the Spokane County Jail and paperwork that included insurance information, the car registration and other miscellaneous papers. Two folding knives were located in the center console and were seized.</p>

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During this time officers were searching the trunk of the vehicle. They located several items, to include: bags with clothing; shoes; a sawzall; bolt cutters; various tools; a small shaving type bag; a notebook with the name of a federal inmate currently in the Yakima County Jail, a phone number for 'Cha Cha' which is the nickname for the mother of his son; and a workbook entitled "How to Escape Your Prison," a Moral Reconation Therapy Workbook, that contained several assignments with the defendant's name on them.

Also in the trunk of the vehicle officers located a container that was found to have two semiautomatic handguns. They were later determined to be a loaded .40 caliber Ruger semiautomatic handgun and a loaded .25 caliber Colt semiautomatic handgun. Additionally, in the container was a semiautomatic handgun magazine loaded with ammunition.

The information listed above is being investigated by the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 22, 2016

s/Stephen Krous

Stephen Krous  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



\_\_\_\_\_  
Signature of Judicial Officer

4/25/16  
\_\_\_\_\_  
Date